

MEETING MINUTES
Town of Granby
Planning & Zoning Commission
Tuesday, November 14, 2023 at 7:00 pm

Members Present: Eric Lukingbeal, Matthew Peters, Mark Lockwood, Eric Myers, Christine Chinni, Jonathan Boardman, Brennan Sheahan, Alternate Robert Lavitt, and Alternate Paula Johnson (via Zoom)

Also Present: Director of Community Development Abigail Kenyon and Land Use Coordinator Renee Deltenre

1. Call to Order

Chairman M. Lockwood called the meeting to order at 7:00 p.m.

2. Pledge of Allegiance

3. Seating of Alternates, if applicable

None

4. Public session, items not on the agenda or subject to a public hearing

A. Kenyon noted for the record that email correspondence was received from Maureen Eberley, which was distributed to the Commission.

5. Action on the minutes of October 24, 2023

ON A MOTION by C. Chinni seconded by E. Myers, the Commission voted (6-0-1) to approve the October 24, 2023 minutes as amended to correct the vote to adjourn the meeting. J. Boardman abstained.

6. Public Hearings

a. Application seeking a Special Permit under Zoning Regulations Section 8.29.1.3 for a residential ground-mount solar energy system for property located at 11 Knollwood Lane, R4A Zone: File Z-20-23.

Property owners Brennan and Jennifer Plourde were present, along with Solar Representative Damien Weiss. The proposed solar array will stand one foot off the ground with a dimension of 40'x15'x9' and will be mounted using ground screws. The structure will sit 120 feet back from the nearest property line in a grassy area not visible from the road. It will consist of twenty panels to meet the homeowner's energy needs. Approval from the Inland Wetlands and Watercourses Agency was granted on October 27th and A. Kenyon noted that the proposed array complies with zoning requirements. There was no public comment and the public hearing closed at 7:10 p.m.

b. Application seeking a Special Permit under Zoning Regulations Section 8.5.2 for a detached accessory apartment for property located at 30 Firetown Road, R2A Zone: File Z-21-23.

Property owners Jodi and Gary Ebersole were present to discuss the application. They are looking to establish a detached accessory apartment within their existing barn, which was constructed in 2022. The barn has its own dedicated septic system with leaching fields and would tie into the existing well that services the main house. The apartment would be around 900 square feet consisting of one bedroom, one bathroom and would be used by family when visiting. The existing exterior lighting is dark sky compliant and there is plenty of parking. A. Kenyon noted that the proposed use complies with zoning requirements and if approved by the Commission, a building permit would be required. There was no public comment and the public hearing closed at 7:15 p.m.

c. Application seeking amendments to Zoning Regulations Section 1.4 Definitions regarding daycares and EV charging stations; Section 2.1.4 Non-conforming uses and abandonment; Section 2.1.7 Fire Damage to Non-conforming buildings and repair requirements; Sections 3.1.1.8, 3.1.2.3, 3.7.1.3, 3.10.1.4, 3.10.2.1, 3.11.1.8, 3.11.2.3, 3.12.2, and 3.12.3 to comply with state statutes regarding the location of group and family child care homes; Section 7.4.1 Electric vehicle charging station requirements; and Section 8.1.5 Parking and occupancy of recreational vehicles. File Z-19-23.

A. Kenyon provided an overview of the staff memorandum outlining potential zoning regulation amendments. Changes are necessary in order to comply with legislation that has recently been passed on a variety of issues. In addition, staff also thought this would be a good opportunity to propose changes to other sections to clarify and address several issues that have come up recently. Modifications are necessary regarding day cares in accordance with Public Act 23-142 and the language pertaining to non-conforming buildings and uses does not currently comply with Connecticut State Statute Chapter 124 Section 8-2d. Public Act 22-25 requires that any new commercial or multi-family residential building with 30 or more parking spaces, install level two or direct current fast-charging stations for electric vehicles in at least 10% of its parking spaces.

Discussion also ensued regarding the parking and/or storage of recreational vehicles, and how it is recommended that language is added stating that no RV shall be occupied or used for living, sleeping or other purposes. E. Lukingbeal referenced M. Lareau's email regarding the possibility of permitting the temporary use of RVs for the purpose of allowing friends or family to visit for a short duration of time. C. Chinni and M. Lockwood expressed concerns regarding the process by which to monitor visitors and how to write a regulation for such a specific circumstance and duration. J. Boardman stated that the regulation is sufficient and that any changes that would permit short-term visitors can easily be abused.

Public Comment

Robert Lavitt of 5 Whitman Drive spoke regarding recreational vehicles and stated that a limitation could be placed on the total number of days in which a visitor could stay in the RV.

It was noted that email correspondence was received from Margaret Lareau. The public hearing closed at 7:35 p.m.

7. **Receive applications and schedule public hearings**
 - a. **Application seeking a Special Permit under Zoning Regulations Section 8.1.3.4 for a garage in excess of 1,000 square feet for property located at 18 Silkey Heights Drive, R2A Zone; File Z-22-23.**

The above application was received after the agenda was published and has been scheduled for a public hearing on December 12, 2023.

8. **Informal Discussion: 192-198R Salmon Brook Street, Maple View Farm, Woodland and Grassland Back Packing Farm Stays (20 campsites, 2 RV parking spaces, trail and bathroom)**

Property owner Kate Bogli was present to discuss the possibility of allowing visitors to spend a night on the farm. The proposal includes 20 campsites, 2 RV parking spaces, walking trails and bathrooms. Guests would need to provide all their own supplies and would access the camp sites from the existing parking lot. Bathrooms would be available at the farm brewery or through the use of port-o-potties, and water would be available from the stream onsite. No land clearing would be required to create the designated camp sites and some camp sites would offer fire pit rings. Stays would be limited to a maximum of three nights May through October, Thursday through Sunday only.

K. Bogli spoke of agritourism and believes this use would help preserve the farm, increase sales and promote agriculture. Commissioners noted the proposed use would not be considered agritourism; therefore, a text amendment would be required. C. Chinni expressed concerns regarding the burial of human waste and the potential for more than 100 people camping onsite when at capacity. J. Boardman questioned how the sites would be monitored and what steps would be taken to address any behavioral issues. He noted that the burial of waste is not appropriate and port-o-potties are not sufficient. B. Sheahan noted concerns regarding the proposed use in proximity to the brewery and the potential for incidents to occur.

E. Lukingbeal questioned the management of human waste if the business was successful. M. Peters expressed concerns about the number of sites and/or people proposed, and M. Lockwood noted that permanent bathrooms and bathhouses would be necessary. E. Myers stated that he can see the benefit of such a use; however, he shares some concerns with his fellow Commissioners. There was a consensus among the Commission that the proposed use is not accessory to farming and they shared their thoughts and concerns at length, noting they would be open to consideration.

9. **Consideration of applications, where the Commission has concluded the public hearing**
 - a. **Application seeking a Special Permit under Zoning Regulations Section 8.29.1.3 for a residential ground-mount solar energy system for property located at 11 Knollwood Lane, R4A Zone: File Z-20-23.**

ON A MOTION by C. Chinni seconded by E. Myers, the Commission voted (7-0-0) to approve an application seeking a Special Permit under Zoning Regulations Section 8.29.1.3 for a residential ground-mount solar energy system for property located at 11 Knollwood Lane, R4A Zone: File Z-20-23, as proposed.

- b. Application seeking a Special Permit under Zoning Regulations Section 8.5.2 for a detached accessory apartment for property located at 30 Firetown Road, R2A Zone: File Z-21-23.**

ON A MOTION by B. Sheahan seconded by J. Boardman, the Commission voted (7-0-0) to approve an application seeking a Special Permit under Zoning Regulations Section 8.5.2 for a detached accessory apartment for property located at 30 Firetown Road, R2A Zone: File Z-21-23, as proposed.

- c. Application seeking amendments to Zoning Regulations Section 1.4 Definitions regarding daycares and EV charging stations; Section 2.1.4 Non-conforming uses and abandonment; Section 2.1.7 Fire Damage to Non-conforming buildings and repair requirements; Sections 3.1.1.8, 3.1.2.3, 3.7.1.3, 3.10.1.4, 3.10.2.1, 3.11.1.8, 3.11.2.3, 3.12.2, and 3.12.3 to comply with state statutes regarding the location of group and family child care homes; Section 7.4.1 Electric vehicle charging station requirements; and Section 8.1.5 Parking and occupancy of recreational vehicles. File Z-19-23.**

The Commission deliberated on the application and there was a consensus to forgo any amendments to Section 8.1.5 parking and occupancy of recreational vehicles at this time. E. Myers requested that staff provide documentation demonstrating how surrounding towns regulate recreational vehicles.

ON A MOTION by C. Chinni seconded by E. Myers, the Commission voted (7-0-0) to approve an application seeking amendments to Zoning Regulations Section 1.4 Definitions regarding daycares and EV charging stations; Section 2.1.4 Non-conforming uses and abandonment; Section 2.1.7 Fire Damage to Non-conforming buildings and repair requirements; Sections 3.1.1.8, 3.1.2.3, 3.7.1.3, 3.10.1.4, 3.10.2.1, 3.11.1.8, 3.11.2.3, 3.12.2, and 3.12.3 to comply with state statutes regarding the location of group and family child care homes; Section 7.4.1 Electric vehicle charging station requirements; and Section 8.1.5 Parking and occupancy of recreational vehicles. File Z-19-23, as amended to exclude amendments to Section 8.1.5 Parking and occupancy of recreational vehicles.

10. Staff Report and Correspondence

A. Kenyon reminded the Commission of the required Land Use Training and asked that Commissioners provide documentation demonstrating compliance so it may be provided to the Board of Selectmen. It was also noted that the Property Manager for Geisslers informed staff that the diseased white pines behind the store need to be removed and new trees will be planted in the spring.

11. Commissioner Reports and Correspondence

M. Lockwood thanked Commissioners Boardman and Peters for their service, as this was their last meeting.

12. Adjourn

ON A MOTION by E. Lukingbeal seconded by J. Boardman, the Commission voted (7-0-0) to adjourn the meeting at 8:17 p.m.

Respectfully submitted,

Renee Deltenre
Land Use Coordinator